

### **Remarks**

This is in response to the non-final Office Action mailed on June 21, 2004. Claim 30 has been amended. Support for the amendments to claim 30 can be found, for example, at Tables 1-3 of the present application. Claims 30 and 32-40 remain pending in the application, with claim 30 being the only independent claim. Reconsideration and allowance are requested in view of the following remarks.

#### **I. Interview Summary**

On August 11, 2004, Applicants' representative, Matthew A. Doscotch, interviewed the present application with Examiner Yoon. Applicants appreciate the courtesy extended by Examiner Yoon. During the interview, claim 30 and Miyamoto et al., U.S. Patent No. 5,518,678, were discussed. Agreement was reached with respect to the following:

- the indefiniteness issue under section 112 with respect to the recitation of inorganic filler of "greater than 0" was resolved by positively reciting the inorganic filler and removing the noted language from the claim; and
- the suggested amendment to claim 30 to recited greater than 15 % inorganic binder was sufficient to distinguish Miyamoto.

The amendments and remarks contained herein are consistent with the discussions held during the interview.

#### **II. Information Disclosure Statements**

Exhibits A and B cited in the Supplemental Information Disclosure Statement filed on June 3, 2004 were not considered because the references lacked a publication date. Another Supplemental Information Disclosure Statement is filed herewith citing and providing publication dates for Exhibits A and B. Consideration of Exhibits A and B, as well as any other references listed in the Supplemental Information Disclosure Statement, are respectfully requested.

#### **III. Claim Rejections - 35 U.S.C. § 112**

Claims 30 and 32-40 were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Specifically, the rejection states that the

recitation "greater than 0" in claim 30 does not have support. Applicants respectfully traverse this rejection, and the correctness of the rejection is not conceded.

Claim 30 has been amended to remove the noted language. Reconsideration and allowance of claim 30, as well as claims 23-40 that depend therefrom, are therefore respectfully requested.

Claim 30 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite with regard to whether the recited "about 10 to 40 % by wt. inorganic binder suspended in an aqueous solution" encompassed the weight of the carrier solvent. Applicants have amended claim 30 to remove reference to an aqueous solution.

For at least these reasons, reconsideration and allowance of claim 30, as well as claims 32-40 that depend therefrom, are respectfully requested.

#### **IV. Claim Rejections - 35 U.S.C. §§ 102 and 103**

##### **A. Rejections Based Solely on Miyamoto**

Claims 30, 32, 33, 35, 36 and 40 were rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Miyamoto et al., U.S. Patent No. 5,518,687. These rejections are respectfully traversed, and the correctness of the rejections is not conceded.

Claim 30 recites an inorganic binder in the range of about 15 to 35 % by weight.

In contrast, Miyamoto discloses a composition having binders of 3-10 % by weight. Miyamoto, col. 3, ll. 48-50. Miyamoto limits the amount of binder because Miyamoto discloses forming an adsorptive ceramic structure that contains zeolite, a material that needs to remain porous and have a high surface area to adsorb moisture. Inclusion of binders beyond the range in Miyamoto could block the adsorptive pores of the zeolite and, thus, defeat the adsorptive nature of the material.

For at least these reasons, it is respectfully asserted that Miyamoto does not disclose or suggest an inorganic binder in the range of about 15 to 35 % by weight, as recited by claim 30. Reconsideration and allowance of claim 30, as well as claims 32, 33, 35, 36, and 40 that depend therefrom, are respectfully requested.

B. Rejections Based on Miyamoto in View of Rancoulle or Anderson or in Further View of Gnyra

Claims 30 and 32-40 were rejected under section 103(a) as being obvious over Miyamoto in view of Rancoulle, U.S. Patent No. 4,951,852, or Anderson et al., U.S. Patent No. 6,090,195, or in further view of Gnyra, U.S. Patent No. 5,033,721. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Rancoulle, Anderson, and Gnyra do not remedy the deficiencies of Miyamoto noted above with respect to claim 30. For at least these reasons, reconsideration and allowance of claim 30, as well as claims 32-40 that depend therefrom, are respectfully requested.

V. Conclusion

Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. The Examiner is encouraged to contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,  
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